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7
8 **IN THE UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 Dimonique Gibbs, individually,

11 Plaintiff,

12 vs.

13 Bonnie Lyn Gutweiler, individually, Heding
14 Truck Service, Inc., a Domestic Business,
15 DOES I through X, and ROE Corporations I
16 through X, inclusive;

17 Defendants.

CASE NO.: 2:23-cv-01896-JCM-MDC

STIPULATION AND ORDER TO
EXTEND DISCOVERY AND PRE-TRIAL
DEADLINES

(Fourth Request)

18 Pursuant to FRCP 6, 26, LR IA 6-1, 6-2, 7-1, and 26-3, the parties, by and through their
19 respective undersigned counsel of record, stipulate and agree that there is good cause to extend the
20 discovery deadlines in the operative discovery plan [ECF No.46] for sixty (60) days, as set forth
21 below.

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23 **A. Pursuant to LR 26-4(a), the parties stipulate that the following discovery was**
24 **completed:**

- 25 1. On January 10, 2024, Plaintiffs served their initial disclosures pursuant to FRCP
26 26(a)(1);

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- 1 2. On January 17, 2024, Defendants served their initial disclosures pursuant to FRCP
- 2 26(a)(1);
- 3 3. On January 17, 2024, Heding served its first set of Interrogatories upon all Plaintiffs,
- 4 individually;
- 5 4. On January 22, 2024, Ms. Gibbs served her first set of Interrogatories, and Request
- 6 for Production upon Heding;
- 7 5. On January 22, 2024, Ms. Gibbs served her first set of Interrogatories, and Request
- 8 for Production upon Ms. Gutweiler;
- 9 6. On January 31, 2024, Plaintiffs served their objects to Defendants' initial FRCP
- 10 26(a)(1);
- 11 7. On February 7, 2024, Heding served its first set of Request for Production upon all
- 12 plaintiffs, individually;
- 13 8. On February 9, 2024, Ms. Gutweiler responded to Plaintiffs' first set of Requests for
- 14 Production of Documents;
- 15 9. On February 26, 2024, Defendants served their first supplemental disclosures
- 16 pursuant to FRCP 26;
- 17 10. On March 11, 2024, Plaintiffs served their objects to Defendants' first supplemental
- 18 disclosure pursuant to FRCP 26(a)(1);
- 19 11. On March 12, 2024, Plaintiffs served their first supplemental disclosures pursuant to
- 20 FRCP 26(a)(1);
- 21 12. On March 27, 2024, Plaintiffs served their second supplemental disclosures pursuant
- 22 to FRCP 26(a)(1);
- 23 13. On March 27, 2024, Plaintiff J.E. served his answers to Heding's first
- 24 set of Interrogatories and responses to first set of Request for Production;
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- 1 14. On March 27, 2024, Plaintiff A.G. served her answers to Heding's first set of
- 2 Interrogatories and responses to first set of Request for Production;
- 3 15. On March 27, 2024, Plaintiff A.L.G. served her answers to Heding's first set of
- 4 Interrogatories and responses to first set of Request for Production;
- 5 16. On March 27, 2024, Ms. Gibbs served her answers to Heding's first set of
- 6 Interrogatories and responses to first set of Request for Production;
- 7 17. On March 28, 2024, Plaintiffs served their third supplemental disclosures pursuant to
- 8 FRCP 26(a)(1);
- 9 18. On April 12, 2025, Plaintiffs served their fourth supplemental disclosures pursuant to
- 10 FRCP 26(a)(1);
- 11 19. On May 8, 2024, Plaintiffs served their fifth supplemental disclosures pursuant to
- 12 FRCP 26(a)(1);
- 13 20. On May 29, 2024, Heding propounded its second set of Request for Production upon
- 14 Plaintiff J.E.;
- 15 21. On May 29, 2024, Ms. Gutweiler propounded her first set of Request for Production
- 16 upon Ms. Gibbs;
- 17 22. On June 10, 2024, Plaintiff J.E. served his responses to Defendant Heding's second
- 18 set of Request for Production;
- 19 23. On June 10, 2024, Ms. Gibbs served her responses to Defendant Gutweiler's first set
- 20 of Request for Production;
- 21 24. On June 18, 2024, Plaintiffs served their sixth supplemental disclosures pursuant to
- 22 FRCP 26(a)(1);
- 23 25. On June 27, 2024, Ms. Gutweiler answered Plaintiffs' first set of Interrogatories;
- 24 26. On July 8, 2024, Heding answered Plaintiffs' first set of Interrogatories;
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1 27. On July 15, 2024, Plaintiffs served their seventh supplemental disclosures pursuant to
2 FRCP 26(a)(1);

3 28. On July 12, 2024, Defendants served their second supplemental disclosures pursuant
4 to FRCP 26;

5 29. On July 17, 2024, Defendants produced updated subpoenas to Plaintiffs;

6 30. On July 19, 2024, Plaintiffs served their objects to Defendants' second supplemental
7 disclosures pursuant to FRCP 26(a)(1);

8 31. On August 7, 2024, Plaintiffs served their eighth supplemental disclosures pursuant to
9 FRCP 26(a)(1);

10 32. On August 16, 2024, the parties were able to agree on the exact language for the
11 subpoenas for Ms. Gibb's medical providers.

12 33. On August 22, 2024, Defendants served their third supplemental disclosures pursuant
13 to FRCP 26;

14 34. On August 23, 2024 Defendants served their fourth supplemental disclosures pursuant
15 to FRCP 26;

16 35. On August 27, 2024, Defendants served their fifth supplemental disclosures pursuant
17 to FRCP 26;

18 36. On August 30, 2024, Defendants served their sixth supplemental disclosures pursuant
19 to FRCP 26;

20 37. On September 9, 2024, Plaintiffs served their ninth supplemental disclosures pursuant
21 to FRCP 26(a)(1);

22 38. On September 20, 2024, Heding served its responses to Plaintiff's Request for
23 Production;

24 39. On September 24, 2024, Plaintiffs took the deposition of Ms. Gutweiler;

1 40. On September 30, 2024, Defendants served their seventh supplemental disclosures
2 pursuant to FRCP 26;

3 41. On October 1, 2024, Defendants provided plaintiff's counsel with the name and
4 contact information of the individual Ms. Gutweiler was on the phone with at the time
5 of the subject incident (This information was sought as part of Plaintiff's Motion to
6 Compel which was filed on September 16, 2024.);

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8 42. On October 7, 2024, Defendants served their eighth supplemental disclosures
9 pursuant to FRCP 26;

10 43. October 8, 2024, Plaintiffs served their tenth supplemental disclosures pursuant to
11 FRCP 26(a)(1);

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13 44. On October 9, 2024, Defendants served their ninth supplemental disclosures pursuant
14 to FRCP 26;

15 45. On October 14, 2024, Plaintiffs served their objections to Defendants' seventh, eighth
16 and ninth supplemental disclosures pursuant to FRCP 26(a)(1);

17 46. On October 18, 2024, the Defendants submitted a request to the Nevada Highway
18 Patrol for the commercial vehicle inspection report on tractor-trailer being driven by
19 Ms. Gutweiler;

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21 47. On October 28, 2024, Plaintiff noticed the FRCP 30(B)(6) deposition of Heding for
22 November 13, 2024;

23 48. On October 31, 2024, Ms. Gibbs served her Second set of Request for Production of
24 Documents upon Heding; and

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26 **49. On October 31, 2024, Ms. Gibbs served her Second set of Request for Production**
27 **of Documents upon Ms. Gutweiler.**
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- 1 50. On October 31, 2024, Defendants served their Tenth supplemental disclosures
- 2 pursuant to FRCP 26;
- 3 51. On November 1, 2024, Defendants served their Eleventh supplemental
- 4 disclosures pursuant to FRCP 26;
- 5 52. On November 5, 2024, Defendants served their Twelfth supplemental disclosures
- 6 pursuant to FRCP 26;
- 7 53. On November 7, 2024, Plaintiffs' served their fifth supplemental objection to
- 8 Defendants' tenth, eleventh and twelfth supplemental FRCP 26 Disclosure.
- 9 54. On November 15, 2024, Plaintiffs' served their Eleventh supplemental disclosures
- 10 pursuant to FRCP 26;
- 11 55. On November 19, 2024, Defendants served their Thirteenth supplemental
- 12 disclosures pursuant to FRCP 26;
- 13 56. On November 19, 2024, Defendant Heding served its Supplemental Responses to
- 14 Plaintiffs' First Set of Request for Production of Documents;
- 15 57. On November 19, 2024, Defendant Ms. Gutweiler served her Supplemental
- 16 Responses to Plaintiffs' First Set of Request for Production of Documents;
- 17 58. On December 5, 2024, Plaintiffs' served their Twelfth supplemental disclosures
- 18 pursuant to FRCP 26;
- 19 59. On December 10, 2024, Defendants served their Fourteenth supplemental
- 20 disclosures pursuant to FRCP 26;
- 21 60. On January 22, 2025, Plaintiffs' served their Thirteenth supplemental disclosures
- 22 pursuant to FRCP 26;
- 23 61. Defendants received Nevada Highway Patrol's response to the October 18, 2024,
- 24 request for commercial vehicle inspection report from the subject accident.
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1 62. On November 8, 2024, Heding filed its Motion for Protective Order with respect
2 to plaintiff's FRCP 30(b)(6) deposition notice. On November 19, 2024, plaintiff
3 filed her opposition to said motion.

4 63. On January 13, 2025, the parties filed their Joint Status Report Regarding
5 Discovery Dispute.

6 64. On January 17, 2025, the court issued its ruling on the discovery issues contained
7 in that pleading.

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9 **B. Pursuant to LR 26-4(b), the parties stipulate that they need to complete the**
10 **following discovery:**

- 11 1. Deposition of the FRCP 30(B)(6) of Heding Truck Service, LLC.
12 2. Deposition of Plaintiff.
13 3. Deposition of percipient witnesses.
14 4. Initial and Rebuttal Expert Disclosures.
15 5. Depositions of Plaintiff's medical providers.
16 6. Depositions of each party's respective experts.
17 7. Additional Written Discovery; and
18 8. Any other discovery that may become necessary upon completion of the discovery
19 above.
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21 **C. Pursuant to LR 26-4(c), the parties stipulate an extension is needed for the following**
22 **reasons:**

23 This request is made in good faith and not for the purpose of delay. It is respectfully
24 submitted that good cause exists to grant this stipulation.
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26 As noted in the prior stipulations to extend discovery, the parties have been working
27 diligently to complete discovery. The claims of the minor children have been settled. Ms. Gibbs has
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1 received extensive treatment and extensive medical records have been ordered. Two sets of
2 records—Mountain View Hospital and Southwest Ortho Services have still not been received.

3 In addition, until the court ruled on the discovery dispute regarding the FRP 30(b)(6) topics,
4 the deposition of Heding’s corporate witness could not be scheduled. The parties expect that this
5 deposition will be taken in March.
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7 **Furthermore, defendants’ responses to plaintiff’s second set of Request for Production**
8 **served upon both defendants, on October 31, 2024, individually, remain outstanding.**

9 **D. Pursuant to LR 26-4(d), the parties stipulate to the following proposed schedule for**
10 **completing all remaining discovery:**

11 The parties agree to extend all the discovery deadlines in this case by sixty (60) days, as set
12 forth below:

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Event	OLD Deadlines	NEW Deadlines
Discovery cut-off	April 22, 2025	June 23, 2025
Amend pleadings/parties	February 24, 2025	April 25, 2025
Initial expert disclosures	February 24, 2025	April 25, 2025
Rebuttal expert disclosures	March 26, 2025	May 26, 2025
Dispositive Motions	May 26, 2025	July 25, 2025
Joint Pre-Trial Order	June 23, 2025	August 22, 2025, <i>or (30) days from the entry of the court's ruling on the motions.</i>


FRC26(a)(3) Disclosures must be included in the Joint Pre-Trial Order.

DATED this 21st day of February, 2025. DATED this 19th day of February, 2025

H&P LAW

THORNDAL ARMSTRONG, PC

/s/ *Marjorie L. Hauf*



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Attorneys for Defendants

Attorneys for Plaintiff

ORDER

IT IS SO ORDERED.



Hon. Maximiliano D. Couvillier III
 United States Magistrate Judge
 Date: 2/24/2025